

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

**WILLIAM LEE GRANT, II**

**Plaintiff,**

**v.**

**U.S. DEPARTMENT OF DEFENSE,**

**Defendant.**

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**CIVIL ACTION NO. 6:18-CV-00289 -RWS**

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF UNITED STATES MAGISTRATE JUDGE**

The above entitled and numbered civil action was referred to United States Magistrate Judge John D. Love pursuant to 28 U.S.C. § 636. Plaintiff initiated this action on June 21, 2018. Docket No. 1. On June 25, 2018, the Magistrate Judge issued an Order to Amend (Docket No. 4), ordering that Plaintiff file an amended complaint addressing the following deficiencies: (1) failure to make “a short and plain statement of the grounds for the court’s jurisdiction;” and (2) failure to make “a short and plain statement showing that the pleader is entitled to relief.” *Id.* citing Fed.R.Civ.P. 8. On June 29, 2018, Plaintiff received the Magistrate Judge’s Order to Amend. Docket No. 6. On July 3, 2018, Plaintiff filed objections to the Magistrate Judge’s Order, but did not otherwise timely amend his complaint as ordered by the Magistrate Judge. Docket No. 5. On July 18, 2018, after determining that Plaintiff’s attachments were “a mere markup of the [Magistrate Judge]’s previously issued Order” and that they did not cure the aforementioned deficiencies in the original complaint, the Magistrate Judge issued a Report and Recommendation, recommending that Plaintiff’s claims be dismissed with prejudice for failure to state a claim upon which relief can be granted. Docket No. 7. On July 20, 2018, Plaintiff


received the Magistrate Judge's Report and Recommendation. Docket No. 8. On July 27, 2018, Plaintiff filed an objection to the Magistrate Judge's Report and Recommendation, but did not otherwise timely amend his complaint as ordered by the Magistrate Judge. Docket No. 9. The Court reviews *de novo* the portions of the Magistrate Judge's findings to which objections have been raised. 28 U.S.C. § 636 (b)(1).

As a threshold matter, Plaintiff appears to request that his case be transferred to the Eastern District of Virginia as a part of his objection. Docket No. 9. It is true that "for the convenience of parties and witnesses" and "in the interest of justice," the Court "may transfer any civil action to any other district or division where it might have been brought or to any district or division to which all parties have consented." 28 U.S.C. § 1404(a). Plaintiff offers no explanation as to why a transfer would be convenient to the parties or in the interest of justice, (Docket No. 9), and the Court finds none. Furthermore, Plaintiff offers no evidence that his suit might have been brought in the Eastern District of Virginia. The Court finds that the suit should not be transferred to the Eastern District of Virginia.

Plaintiff does not raise any specific objections to the Magistrate Judge's Report and Recommendation. *See* Docket No. 9. Rather, the objection is a markup of the first page of the Magistrate Judge's Report and Recommendation. *See id.* As the Magistrate Judge correctly found, Plaintiff has not stated a claim for which relief can be granted. *See* Docket No. 7 at 2, citing Docket No. 4. In Plaintiff's markup, he only additionally provides that he "was extorted by the U.S. Department of Defense to be a witness to the 9/11 terrorist attacks." Docket No. 9. These allegations are insufficient to state a federal claim. For these reasons, the Court agrees with the Magistrate Judge that the complaint should be dismissed.

Therefore, the Court hereby adopts the findings and conclusions of the Magistrate Judge as the findings and conclusions of the Court. It is accordingly **ORDERED** that the complaint is hereby **DISMISSED WITH PREJUDICE**.

**SIGNED this 28th day of August, 2018.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE